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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,644	03/28/2001	Naonori Kato	33216M072	2473

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EXAMINER
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STRANGE, AARON N

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/818,644

Applicant(s)

KATO ET AL.

Examiner

Aaron Strange

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5, 6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-3,5,6 and 8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edson (US 6,526,581) in view of Humpleman et al. (US 6,288,716).
5. With regard to claims 1 and 8, Edson discloses a gateway apparatus (Fig 1, 13) connected to a first network (Fig 1, 21 or 23) and a second network (Fig 1, 15,17 or 19) and for controlling the operation of a plurality of apparatuses (Fig 1, 31,32,33,34, 41, or 42) of control objective and which are connected to said first network, depending on

instructions directed to said second network (Col 15, Lines 40-44) by an instructing apparatus (Fig 1, 43) connected to said first network for said plurality of apparatuses of control objective, the gateway apparatus comprising:

monitoring means monitoring a flow of the instructions, for controlling the operation of said apparatuses of control objective, directed to said second network by said instructing apparatus (gateway must monitor instructions to forward them to the appropriate devices) (Col 15, Lines 29-39);

control signal outputting means of outputting a control signal for controlling the operation of said apparatuses of control objective depending on the instructions received when said flow of the instructions is monitored by said monitoring means; (control codes are received by devices)(Col 7, Lines 44-47);

identification information storing means for storing the identification information of each of said apparatuses of control objective (New devices are identified and configured) (Col 11, 9-19); and

data converting means for converting the data from the second network into data available for said instructing apparatus (interface cards convert between protocols for different networks) (Col 10, Lines 55-59), wherein

depending on said identification information, said data converting means replaces the data from said network with respect to the status of said apparatuses of control objective, and sends the replaced data to said instructing apparatus (user receives status information at instructing location)(at least Col 15, Lines 29-39).

While Edson fails to specifically recite that said control signal is output using

stored identification information, this limitation is inherent. Edson discloses that commands for controlling the devices are sent by the instructing apparatus (PC) to the gateway (Col 7, Lines 51-54), and that the commands are received by the devices to be controlled (Col 7, Lines 45-47). Therefore, the control signal outputting means must use the identification means in order to determine which device should receive the control signal.

While Edson discloses that a wide variety of devices may be connected to the disclosed network (at least Col 7, Lines 36-43), Edson fails to specifically recite that a plurality of apparatuses of control objective having the same function are connected to the network. Nonetheless, connecting multiple substantially identical devices to a home network is old and well known in the art, as evidenced below by Humpleman.

Humpleman discloses a similar system and teaches connecting a plurality of apparatuses of control objective, each having the same function (televisions), to a first network. The system allows a user to select the desired device from a graphical interface and perform control operation on it (at least Figs 6-8 and Col 15, Line 22 to Col 16, Line 22). This would have been an advantageous addition to the system disclosed by Edson since it would have allowed multiple devices of the same type to be controlled. Many homes contain a plurality of substantially identical devices such as televisions or radios. It would have been advantageous for each of these devices to be controllable from a single, central interface.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an interface which allows control of multiple

devices having the same function which are connected to the control network, since many homes have multiple, substantially identical, devices.

6. With regard to claim 2, Edson further discloses control information setting means in which control information for controlling the operation of said apparatuses of control objective is set (Control information is set in gateway using PC) (Col 7, Lines 51-54), wherein said control signal outputting means outputs said control signal by using said control information set in said control information setting means (Parameters are referenced for control, such as user's desired temperature) (Col 15, Lines 33-39).

7. With regard to claim 3, Edson further discloses that said control information is set in said control information setting means by an access from said instructing apparatus (PC is used to change settings) (Col 7, Lines 51-54), by a user's input operation (User changes setting via PC) (Col 7, Lines 51-54), or by an access from said apparatuses of control objective (Devices report their current status so desired changes can be determined) (Col 7, Lines 45-47).

8. With regard to claim 5, Edson further discloses that said identification information is stored in said identification information storing means by an access from said instructing apparatus, by a user's input operation, or by an access from said apparatuses of control objective (New devices identify themselves to the gateway) (Col 11, 9-19).

9. With regard to claim 6, Edson further discloses device identification information acquiring means of acquiring said identification information of each of said apparatuses of control objective from all or a part of said apparatuses of control objective, wherein said identification information storing means stores said identification information obtained by said device identification information acquiring means (New devices are automatically identified and configured by the gateway) (Col 11, Lines 9-19).

### ***Conclusion***

10. In the interest of expedited prosecution, Applicant is encouraged to carefully review the prior art cited in the present Office action, prior Office actions, and the present application. If Applicant feels that the present application contains subject matter that patentably distinguishes the present invention from the many prior art home gateway systems, amendments to the claims incorporating such subject matter are strongly encouraged. The Examiner recommends that Applicant emphasize any patentably distinct differences between the Applicant's gateway and standard network and home control gateways, since most of the claimed subject matter consists of common components of standard home control gateways.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS  
1/5/2006



KRISNA LIM  
PRIMARY EXAMINER